

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

THE ANNUITY, WELFARE, APPRENTICESHIP SKILL
IMPROVEMENT & SAFETY FUNDS of the
INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES
JAMES T. CALLAHAN, LYNN A. MOUREY,
ROBERT SHAW and RUSSELL SHAW, and JOHN and
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE,
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY
FUNDS of the INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

**NOTICE OF MOTION
FOR DEFAULT JUDGMENT**

07-CIV-9906 (TPG)

Plaintiffs,

-against-

MODERN CONTINENTAL CONSTRUCTION CO., INC.,

Defendant.

X

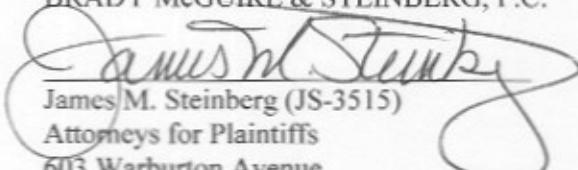
PLEASE TAKE NOTICE, that upon the Affidavit of JAMES M. STEINBERG, ESQ., sworn to on the 29th day of January, 2008, Plaintiffs' Statement of Damages, and upon all of the prior papers and proceedings heretofore served and had herein, Plaintiffs, by their attorneys BRADY McGUIRE & STEINBERG, P.C., will move this court, at the United States Courthouse located at 500 Pearl Street, New York, New York, before the Honorable Thomas P. Griesa, on a date and time to be set by the court, for a judgment of default against Defendant MODERN CONTINENTAL CONSTRUCTION CO., INC. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure in the amount of \$92,310.78, together with such other and further relief as this Court may deem just, proper and equitable.

Dated: Hastings-on-Hudson, New York
January 29, 2008

Respectfully submitted,

BRADY McGUIRE & STEINBERG, P.C.

By:


James M. Steinberg (JS-3515)
Attorneys for Plaintiffs
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TO: MODERN CONTINENTAL CONSTRUCTION CO., INC.
175 Purchase Street
Boston, MA 02110